

**1999 SENATE JUDICIARY**

**SB 2078**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2078

Senate Judiciary Committee

Conference Committee

Hearing Date January 13, 1999

Tape Number	Side A	Side B	Meter #
1		x	3190 - 4365
Committee Clerk Signature <i>Jackie Follman</i>			

Minutes:

SB2078 relates to selection of jurors from a judicial district in the event of a natural disaster.

SENATOR WATNE opened the hearing on SB2078 at 11:40 A.M.

All were present.

KEITH NELSON, State Court Administrator, Supreme Court, testified in support of SB2078.

With the Grand Forks flood, they set up a temporary courthouse in Larimore. They did not have access to juries because of the displacement of all the people of the county. Looking at our emergency planning, the Chief Justice's thought was we should address this bill. Justice Newmann thought there should be an amendment to this bill showing that it is in any county, not just those counties addressed in the other bill. Amendments attached.

SENATOR LYSON asked if there was any way to change this so it could be adjoining counties instead of judicial district.

KEITH NELSON stated that they most likely would go to the adjoining county.

SENATOR STENEHJEM returned from his meeting.

SENATOR STENEHJEM asked if we could get a copy of a state map with the judicial districts.

KEITH NELSON stated that he would get that to the committee.

JIM GANJE, Supreme Court, testified in support of SB2078. In response to Senator Lyson's response, the Court Administrator is correct that the Supreme Court's interest would be in lessening the costs of jurors should something like this ever happen again. Limiting it to drawing from adjoining counties by law is that if you go to the adjoining county and you still can't get enough jurors, then we are right back to where we started from. With this bill, there will be statutory authorization to go beyond the adjoining counties.

SENATOR STENEHJEM CLOSED the hearing on SB2078.

January 19, 1999 3:00 P.M.

SENATOR WATNE made a motion on AMENDMENTS, SENATOR BERCIER seconded.

Motion carried.

SENATOR WATNE made a motion for DO PASS AS AMENDED, SENATOR NELSON seconded.

SENATOR WATNE will carry this bill.





REPORT OF STANDING COMMITTEE

SB 2078: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2078 was placed on the Sixth order on the calendar.

Page 1, line 14, after "jurors" insert "in any county"

Page 1, line 16, replace "any" with "an adjoining"

Page 1, line 17, after "district" insert "or from the clerk of court of another county in the judicial district if a sufficient number of names and addresses is not available from the adjoining county"

Renumber accordingly

**1999 HOUSE JUDICIARY**

**SB 2078**

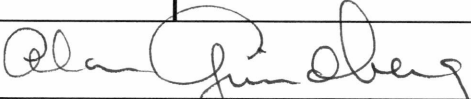
1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. : 2078

House Judiciary Committee

Conference Committee

Hearing Date :February 15, 1999

Tape Number	Side A	Side B	Meter #
1	X		10.3
Committee Clerk Signature 			

Minutes:

JUDGE NEWMAN This bill is requested by the court because of what happened during the flood in Grand Forks. It may be legal to do this under present law but there is some doubt and this bill will remove that and allow us to proceed with the business of the judiciary with confidence. (Judge Newman presented the committee with a copy of the engrossed bill.

COMMITTEE ACTION

REP. KOPPELMAN moved that the committee recommend that the bill DO PASS. Rep. Disrud seconded and the motion passed on a roll call vote with 14 ayes, 0 nays and 1 absent. Rep. Kelsh was assigned to carry the bill on the floor.



Date: 2/15  
 Roll Call Vote #: 1

**1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2078**

House JUDICIARY Committee

Subcommittee on \_\_\_\_\_  
 or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do pass

Motion Made By Koppelman Seconded By Disrud

Representatives	Yes	No	Representatives	Yes	No
REP. DEKREY	✓		REP. KELSH	✓	
REP. CLEARY	✓		REP. KLEMIN	✓	
REP. DELMORE	✓		REP. KOPPELMAN	✓	
REP. DISRUD	✓		REP. MAHONEY	✓	
REP. FAIRFIELD	✓		REP. MARAGOS	✓	
REP. GORDER	✓		REP. MEYER	✓	
REP. GUNTER	✓		REP. SVEEN	✓	
✓ REP. HAWKEN	✓				

Total Yes 14 No 0

Absent 1

Floor Assignment Kelsh

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)  
February 15, 1999 2:17 p.m.

Module No: HR-30-3006  
Carrier: S. Kelsh  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

SB 2078, as engrossed: **Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2078 was placed on the Fourteenth order on the calendar.